IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3831 OF 2004

Mr.Akhilesh Manglik .. Petitioner

Versus

State of Maharashtra .. Respondents

Mr.Subhodh Desai for petitioner

Mr.S.R.Shinde, A.P.P. for State.

CORAM : A.M.KHANWILKAR, J.

DATE : SEPTEMBER 13, 2004.

P.C.

1. Having heard the learned Counsel for the parties, it is seen that the entire case against the applicant is based on documentary evidence.

The applicant has shown willingness to extend cooperation during the investigation. To my mind, taking overall view of the matter, there is no valid reason why custody of the applicant can be insisted by the investigating agency. The fact that the applicant has committed forgery will have to be established on the basis of documentary evidence by the prosecution. The documents are already in possession of the investigating officer. In this view of the matter, the applicant is entitled for being released on anticipatory bail. The application is accordingly allowed on the following conditions:-

a) On executing P.R.Bond in the sum of Rs.50,000/- with two sureties in the like amount, the applicant be released on bail in relation to C.R.No.79 of 2004

registered with Kurla Police Station, Mumbai.

b) The applicant shall report to Kurla Police station from 15th September 2004, initially for a period of four days between 11.00 a.m. to 5.00 p.m. and thereafter once in fortnight on Saturday between 11.00 a.m. and 5.00 p.m. or on any other day or time or place as may be required by the I.O.

C) The applicant shall surrender his passports to the I.O.

D) The applicant shall cooperate during the investigation as also at the trial and if the concerned court is satisfied that the applicant is not cooperating either with the investigation or during the trial, that can be a ground

for cancellation of bail.

E) Applicant shall be entitled to apply to the concerned court for release of passport for undertaking business trips as and when required. The concerned court shall issue appropriate directions soas to ensure that the applicants will make themselves available to the court as and when required.

f) The applicant shall not tamper with the prosecution evidence or influence prosecution witnesses.

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